

1982 S.C. Op. Atty. Gen. 69 (S.C.A.G.), 1982 S.C. Op. Atty. Gen. No. 82-69, 1982 WL 155038

Office of the Attorney General

State of South Carolina

Opinion No. 82-69

November 19, 1982

\*1 Honorable John T. Campbell  
Secretary of State  
Post Office Box 11350  
Columbia, South Carolina 29211

Dear Mr. Campbell:

You have inquired as to whether various State constables and detectives appointed by the Governor pursuant to Section 23-1-60 must be reappointed in view of the fact that Governor Riley will succeed himself as Governor for the next ensuing term during the month of January.

You further inquire as to whether those officers who are reappointed and may have already filed required bonds, would be required to file additional bonds by virtue of new appointments made.

Governor Riley will serve as Governor for the next four years by virtue of the new election held this month and will begin a new term of office; consequently, previous appointments made by him will expire at the time designated in the statute, and new appointments must be made. The same conclusions were expressed in an opinion of this Office which is cited below and which related to deputy sheriffs holding under appointment of sheriffs who have been re-elected. The conclusions stated in that opinion are applicable to the present one.

The Supreme Court has considered a number of cases which hold that where there are successive terms by an officer, liability for each of such successive terms upon sureties ceases at the conclusion of a term and the entry into an additional term would be subject to liability upon sureties entering upon bond of the officer for the new term.

I advise that new appointments are required to be made by the Governor and new bonds furnished at the expiration of each successive term.

Very truly yours,

Daniel R. McLeod  
Attorney General

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